GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Revision petition Smt. P. Gloria, the then Deputy Collector & Competent Authority, Thulluru Capital City Area - Disciplinary proceedings initiated - Imposed a punishment of 'Stoppage of two increments with cumulative effect - Review petition filed against the Penalty orders - Admitted - Penalty imposed is revoked and exonerated from the disciplinary proceedings - Orders - Issued.

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REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.207 Dated:21.02.2024

Read the following:

1. G.O.Rt.No.31, , Revenue(Vig.I) dept., dt: 12.01.2024
2. From Smt. P. Gloria, the then Deputy Collector & Competent Authority, Thulluru Capital City, Appeal / Review petition, dt: 31.01.2024

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O R D E R:

Whereas, in the G.O 1st read above, orders have been issued imposing a penalty of 'Stoppage of two increments with cumulative effect against Smt. P. Gloria, the then Deputy Collector & Competent Authority, Thulluru Capital City Area concluding the disciplinary proceedings initiated against her on the allegations of irregularities committed by her in swindling the original land owners to pecuniary gains in the Land Pooling scheme in CRDA Region.

2. Aggrieved by the above orders, Smt. P. Gloria, the then Deputy Collector & Competent Authority, Thulluru Capital City Area has filed a review petition before the Government denying the allegations, asserting that the Complainant has not fled any objections at any point of time from the issue of notice to execution of registered agreement with CRDA authorities, which clearly shows the attitude of the Complainant in filing false and vexatious petitions against the CRDA authorities instead of following the legal procedure to obtain the land by purchasing from the former and hence requested to allow her appeal keeping in view of the her earlier/present representations along with documentary evidences and drop further action by exonerating her fully from penalty.

3. And whereas, the review petition of Smt. P. Gloria, the then Deputy Collector & Competent Authority, Thulluru Capital City Area has been admitted and a personal hearing has been conducted by the competent authority on 05.02.2024.

4. After careful examination of the grounds put forth in the review petition and also after hearing to the pleadings of the petitioner during the personal hearing, Government have observed that,

(i) Originally the land was assigned to Jonnalagadda Gopaiah who in turn sold it to Koyyagura Issac in the year 1991.

(ii)The transaction was accepted in the eye of law as per G.O. Ms. No. 41, Dt. 17.2.2016.

(iii)Anche Venkata Rao entered a unregistered sale agreement with Koyyagura Issac on 03.01.2015.

(iv) Sri Koyyagura Isaq submitted consent in Form No.9.3 to allocate Ac.1.00 cents in Sy.No.162/1 in Nelapadu (V) to AP CRDA on 03.01.2015, later extending consent for two more parcels. The then Tahasildar, Thullur (M), affirmed that Isaq's lands were assignment lands and listed them in Form 9.9 as the enjoyer.

(v) Section 8(3) of APCRDA. LPS Rules, 2015 mandated issuing a notice in Form 9.8, published on 07.07.2016 for objections; none received within the 15-day period. The Tahasildar communicated Form 9.9 as per 8(4) of APCRDA LPS Rules, 2015.

(vi) Rule 5(c), amended in G.O.Ms.No.41 MA&UD(CRDA.2) Dept. dt. 17.02.2016, finalized lands in Isaq's favor and agreement executed in Form 9.14 on 09.08.2016.

(P.T.O)

(vii) Sri Anche Venkata Rao lodged a complaint with the District Collector, Guntur, alleging collusion between CRDA officers and T. Ameswara Rao to register returnable plots to Koyyaguru Isaq without original documents.

(viii) Following this, the complaint and the Tahasildar's report, forwarded to the Collector & District Magistrate on 28.04.2018, revealed that Sri Koyyagura Isaq legally owns the land in question. Sri Anche Venkata Rao lacks legal documentation for the land, rendering the unregistered agreement invalid.

(ix) Subsequently, in accordance with the directives of the CRDA Commissioner, the registration of returnable plots was carried out for Koyyagura Isaq on June 4, 2019, following the submission of a notarized affidavit.

(x) The dispute between the complainant and the landowner, Sri Koyyagura Isaq, falls under civil dispute jurisdiction and must be resolved in court. The AP CRDA holds no involvement in the matter, a stance affirmed by the Inquiring Authority in their report and requested for drop further action by exonerating her fully from penalty.

5. Government have further observed that, the main allegation against the charged officer is neglecting to obtain original documents supporting land ownership under the Land Pooling Scheme. They relied on a notarized affidavit from Sri Koyyagura Isaq, lacking documentary proof and breaching APCRDA Act, 2014. It is evident that before entering into the 9.14 agreement, the Competent Authority (CA) & Special Deputy Collector (SDC) should have acquired all original documents from the landowner. The charged officer explains that the landowner, Koyyagura Isaq, provided the original title deed to the complainant, Anche Venkata Rao, for photocopying, which was not returned, leading to a criminal case. The officer also mentions that Isaq obtained true copies from the Sub- Registrar during registration. Regarding the sale agreement between them, the officer deems it a private matter. While the officer cites instructions from the former CRDA Commissioner regarding notarized affidavits for LPS Scheme. Despite the officer's failure to obtain original documents, it doesn't affect the land ownership's legality, thereby causing no loss to the Government At this background, out of five Articles of Charge, two charges are not held proved, two are partly held proved and one is only proved, but the punishment imposed on her appears to be excessive.

7. Government, in exercise of the powers conferred under rule- 38(a) of A.P.C.S (CC&A) Rules, 1991, here by review the penalty of 'Stoppage of two increments with cumulative effect, imposed against Smt. P. Gloria, the then Deputy Collector & Competent Authority, Thulluru Capital City Area and revoke the said penalty and exonerate her from the disciplinary proceedings framed against her.

8. The Chief Commissioner of Land Administration, A.P., Mangalagiri/ District Collector, Guntur, shall take necessary further action accordingly.

AJAY JAIN, IAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT(LANDS)(FAC)

To:
Smt.P.Gloria, the then Deputy Collector & Competent Authority, Thulluru Capital City Area through the Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:
The OSD to the Hontble Minster (Rev, Stamps & Regn).
The Collector & District Magistrate, Guntur District.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER